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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,011	03/30/2004	Jeong-su Lim	1572.1274	2786

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EXAMINER

EPPS, TODD MICHAEL

ART UNIT	PAPER NUMBER
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3632

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/812,011

Applicant(s)

LIM, JEONG-SU

Examiner

Todd M. Epps

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is the first Office Action after Request For Continued Examination (RCE) for serial number 10/812,011, Monitor Apparatus, filed on March 30, 2004.

Claim Objections

Claim 37 is objected to because of the following informalities: lines 1-2, it is not clearly understood how the phrase with the second link is provided as a pair? With respect to the first link? Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 16-34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 16 is rejected to because it is not enabled to make a connection between a first upper supporter to rotatably support a lower part of the first link and a second upper supporter to rotatably support a lower part of the second link.

Claims 17-34 are rejected as inherently depending on rejected claim 16.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 6, 8, 10, 12, and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "the second spring" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the second spring" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the second spring" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the second spring" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 29 recites the limitation "the second spring" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

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granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 13-19, 21-26, 28, 30-31, 33-37, and 39 are rejected under 35

U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,822,857 to Jung et al. (Jung).

Jung '857 discloses a monitor apparatus including a monitor (120), and a base (130) to support the monitor, comprising: a first link (100) provided between the monitor and the base; a second link (110) provided between the monitor and the base, and adjacent to the first link; a base bracket (27) connected rotatably combined between the base and the first and the second links, respectively; a connecting bracket (95), having a first side rotatably combined to the monitor and a second side rotatably combined to the first link and the second link respectively; wherein the monitor is tilted with respect to the connecting bracket to adjust a tilting angle of the monitor; a monitor bracket (73, 77, 170) combined to the monitor, and rotatably combined to the connecting bracket; wherein the monitor bracket further comprises: a connecting supporter (73, 77 – side walls) protruding towards the connecting bracket; wherein the connecting supporter further comprises: a circular through hole (fig. 5); a first spring (35) interposed between the first link and the first lower supporting part to elastically bias the first link upward with respect to the base; wherein the first spring further comprises: a torsion spring (35); wherein the connecting bracket further comprises: a monitor coupler (93) spaced from the first and second upper supporters, and rotatably combined to the monitor; further comprising: a link rotation restrictive part (50) to restrict a rotation angle of at least one of the first and second links relative to the base; wherein the link rotation restrictive part

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further comprises: a protrusion (53) protruding from the base bracket to restrict the rotation angle of at least one of the first and second links by making contact with an upper surface of at least one of the first and second links; a monitor tilting restrictive part (55) to restrict a tilting angle of the monitor bracket relative to the connecting bracket; wherein the monitor tilting restrictive part further comprises: a projection (59) protruding from the monitor coupler towards the connecting supporter of the monitor bracket; a stopping part (56) formed by cutting an arc of the connecting supporter provided in the monitor bracket; wherein the height of the monitor is adjusted by rotating the first and second links relative to the base; wherein the connecting bracket does not rotate relative to the base when the first and second links are rotated; wherein the connecting bracket rotates relative to the first and second links when the first and second links are rotated relative to the base; wherein the second link is placed above the first link (fig. 5); and wherein the second link is provided as a pair and formed to be bar-shaped.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-12, 27, 29, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung '857 in view of the Applicants Admitted Prior Art (AAPA) as

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identified by Fig. 1-2b of the drawings, and pages 1-2 of specification, which the applicant submitted.

Jung '857 fails to disclose wherein the first torsion spring having a first end coupled to the first lower support part and a second end coupled to the first link; and a second torsion spring having a first end coupled to the second lower supporting part, and a second end coupled to the second link. Nevertheless, the prior art (AAPA) discloses wherein the two torsion springs each having first ends coupled to the first and second lower supporting parts, and second ends coupled to the first and second links. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the monitor apparatus to include another first and second links on the opposite side of Jung '857 along with a second torsion spring as taught by the prior art wherein doing so would provide thereof for additional strength and support to hold the monitor at any height.

Regarding claim 29, Jung '857 discloses the previous invention failing to specifically teach wherein the sum of resilience due to the first and second springs is approximately equal to a weight of the monitor. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the sum of resilience due to the first and second springs equal to a weight of the monitor wherein doing so would provide thereof for additional strength and support to hold the monitor at any height.

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Claims 20, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung '857.

Jung '857 discloses the previous invention failing to specifically teach wherein the through hole is a non-circular shape. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the shape of a circular through hole to include a non-circular shape because such a modification would have been considered a mere design configuration to optimize the invention which fails to patentably distinguish over the prior art reference of Jung '857.

Response to Arguments

Applicant's arguments filed January 19, 2007 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M. Epps whose telephone number is 571-272-8282. The examiner can normally be reached on M-F (7:30-4:30).

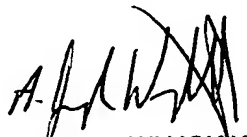
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TME

Todd M. Epps
Patent Examiner
Art Unit 3632
February 2, 2007


A. JOSEPH WUJCIAK III
PRIMARY EXAMINER
TECHNOLOGY CENTER